

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

MARCIA L. MCGOWAN and TRACI M. SINGER, individually and on behalf of all others similarly situated,

Plaintiffs,

V.

BARNABAS HEALTH, INC., THE INVESTMENT COMMITTEE OF RWJBARNABAS HEALTH, INC., THE DEFINED CONTRIBUTION PLANS AND ERISA ADMINISTRATIVE SUBCOMMITTEE OF THE INVESTMENT COMMITTEE OF RWJBARNABAS HEALTH, INC., SYSTEM and JOHN DOES 1-30.

Defendants.

CASE NO:

2:20-cv-13119-KM-ESK

**PLAINTIFFS MARCIA L. MCGOWAN AND TRACI M. SINGER’S MOTION FOR
FINAL APPROVAL OF CLASS ACTION SETTLEMENT**

Marcia L. McGowan and Traci M. Singer (together, “Plaintiffs”), participants in the RWJBarnabas Health 401(k) Savings Plan (the “Plan”), respectfully move this Court, pursuant to FED. R. CIV. P. 23, for an Order:

1. Granting final approval to the class action settlement in this action on the terms of the Class Action Settlement Agreement (“Settlement Agreement”), fully executed on May 13, 2022 and previously filed with the Court on May 16, 2022 (ECF 50-1);
2. Certifying the Class as defined in the Settlement Agreement;
3. Appointing Named Plaintiffs as Class Representatives and Plaintiffs’ Counsel as Class Counsel under FED. R. CIV. 23(g);
4. Finding that the manner in which the Settlement Class was notified of the Settlement was the best practicable under the circumstances and adequately informed the

Settlement Class members of the terms of the Settlement, how to lodge an objection and obtain additional information; and

5. For such other and further relief as the Court may deem just and proper.

The grounds for this Motion are set forth in the following papers filed contemporaneously herewith:

- A. Memorandum in support of Plaintiffs' Final Approval of Class Action Settlement, Certification of Settlement Class, and Approval of Plan of Allocation; and
- B. Declarations of Plaintiffs' Counsel, the Named Plaintiffs, and Settlement/Notice Administrator.

Attached hereto is the proposed Final Approval Order and Judgment in the form agreed to by the parties and attached to the Settlement Agreement as an exhibit.

Dated: August 15, 2022

Respectfully submitted,

CAPOZZI ADLER, P.C.

/s/ Mark K. Gyandoh

Mark K. Gyandoh, Esquire
Gabrielle Kelerchian, Esquire

312 Old Lancaster Road

Merion Station, PA 19066

Telephone: (610) 890-0200

Facsimile: (717) 233-4103

Email: markg@capozziadler.com

gabriellek@capozziadler.com

CAPOZZI ADLER, P.C.

Donald R. Reavey, Esquire

2933 North Front Street

Harrisburg, PA 17110

Telephone: (717) 233-4101

Facsimile: (717) 233-4103

Email: donr@capozziadler.com

CERTIFICATE OF SERVICE

I hereby certify that on August 15, 2022 a true and correct copy of the foregoing document was filed with the Court utilizing its ECF system, which will send notice of such filing to all counsel of record.

By: Mark K. Gyandoh
Mark K. Gyandoh, Esq.